

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

Judith Van Ness

SUMMONS IN A CIVIL CASE

v.

CASE NUMBER:

08 CIV 4103

Merck & Co., Inc.

TO: (Name and address of defendant)

Merck & Co., Inc.
One Merck Drive
Whitehouse Station, New Jersey 08889-0100

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Beattie and Osborn LLP
521 Fifth Avenue, 34th Floor
New York, New York 10175

an answer to the complaint which is herewith served upon you, within twenty days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

(BY) DEPUTY CLERK

MAY 01 2008

DATE

AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS IN A CIVIL CASE, COMPLAINT**
 EFFECTED (1) BY ME: **JOSE ALARCON**
 TITLE: **PROCESS SERVER**

DATE: 05/09/2008 03:11PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

Served personally upon the defendant:

MERCK & CO. INC.

Place where served:

ONE MERCK DR. WHITE HOUSE STATION NJ 08889

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

JOAN DEARBORN

Relationship to defendant: MANAGING AGENT

Description of person accepting service:

SEX: F AGE: 51-65 HEIGHT: 5'4"-5'8" WEIGHT: 131-160 LBS. SKIN: WHITE HAIR: BLACK OTHER: _____

To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

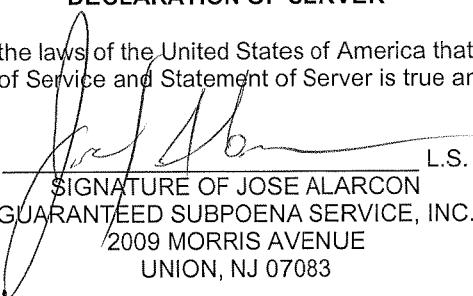
SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 05/09/2008


 L.S.
 SIGNATURE OF JOSE ALARCON
 GUARANTEED SUBPOENA SERVICE, INC.
 2009 MORRIS AVENUE
 UNION, NJ 07083

05-09-08J. Santiago Velez

ATTORNEY: RUSSEL H. BEATIE, ESQ.
 PLAINTIFF: JUDITH VAN NESS
 DEFENDANT: MERCK & CO. INC.
 VENUE: DISTRICT OF NY
 DOCKET: 08 CV 4103

JANIRA SANTIAGO VELEZ
 NOTARY PUBLIC OF NEW JERSEY
 My Commission Expires April 24, 2012

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

TZLC